

COPY

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Department of Water Resources

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

Water Rights: 29-4109, 29-4110, 29-4111, 29-4112

Case No. 39576)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party
- ☐ I.C. § 42-222 transfer
 - ☐ point of diversion ☐ place of use
 - ☐ period of use ☐ nature of use
 - ☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 9 Sept. 2003

Ernest Carlson
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 9-12-03, 2003, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
JOHN WILLIAM HART & JENNIE HART
2435 E HAWKINS
DOWNEY ID 83234

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
JOHN WILLIAM HART
2435 E HAWKINS
DOWNEY ID 83234

MARILYN MIKKELSON
2433 E HAWKINS
DOWNEY ID 83234

4. One copy to:

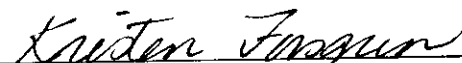
Each party in the subcase, or attorney of record
JOHN WILLIAM HART
2435 E HAWKINS
DOWNEY ID 83234

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

09/08/2003

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-4109
NAME AND ADDRESS: MARILYN MIKKELSON
2433 E HAWKINS
DOWNEY ID 83234
JOHN WILLIAM HART
2435 E HAWKINS
DOWNEY ID 83234

SOURCE: PECK CREEK
TRIBUTARY: MARSH CREEK

QUANTITY: 0.700 CFS
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 1.2 CFS. COMBINED RIGHT NOS.:
29-04109, 29-04111

PRIORITY DATE: 06/30/1970

POINT OF
DIVERSION: T11S R37E S6 NENW Lot 3 Within BANNOCK County

PURPOSE AND PERIOD OF USE:	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	0.700 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County
T10S R37E S31 Lot 8 SWSW 17.0 T11S R37E S06 Lot 3 NENW 18.0

35 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 35 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 29-04109, 29-04111

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO
LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION
42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

09/08/2003

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-4110
NAME AND ADDRESS: JOHN WILLIAM HART
2435 E HAWKINS
DOWNEY ID 83234
MARILYN MIKKELSON
2433 E HAWKINS
DOWNEY ID 83234

SOURCE: SPRINGS TRIBUTARY: PECK CREEK

QUANTITY: 0.040 CFS
2.00 AFY
FACILITY VOLUME 2 AF.
THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 07/30/1968

POINT OF
DIVERSION: T11S R37E S6 NENENW Lot 3 Within BANNOCK County

PURPOSE AND PERIOD OF USE:	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	RECREATION STORAGE	01/01 12/31	2.00 AFY
	DOMESTIC	01/01 12/31	0.040 CFS

PLACE OF USE: DOMESTIC Within BANNOCK County
T11S R37E S06 Lot 3 NENW
RECREATION STORAGE Within BANNOCK County
T11S R37E S06 Lot 3 NENW

09/08/2003

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO
LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION
42-1412(6), IDAHO CODE.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

09/08/2003

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-4111
NAME AND ADDRESS: MARILYN MIKKELSON
2433 E HAWKINS
DOWNEY ID 83234
JOHN WILLIAM HART
2435 E HAWKINS
DOWNEY ID 83234

SOURCE: SPRING TRIBUTARY: PECK CREEK

QUANTITY: 1.200 CFS
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 1.2 CFS. COMBINED RIGHT NOS.:
29-04109, 29-04111

PRIORITY DATE: 06/01/1930

POINT OF
DIVERSION: T11S R37E S6 NWSE Within BANNOCK County

PURPOSE AND PERIOD OF USE:	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	1.200 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County
T10S R37E S31 Lot 8 SWSW 17.0 T11S R37E S06 Lot 3 NENW 18.0

35 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 35 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 29-04109, 29-04111

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO
LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION
42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

09/08/2003

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-4112
NAME AND ADDRESS: MARILYN MIKKELSON
2433 E HAWKINS
DOWNEY ID 83234

JOHN WILLIAM HART
2435 E HAWKINS
DOWNEY ID 83234

SOURCE: UNNAMED STREAM TRIBUTARY: PECK CREEK
RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO SECTION
42-1425, IDAHO CODE.

QUANTITY: 1.270 CFS

PRIORITY DATE: 04/01/1953

POINT OF
DIVERSION: T11S R37E S6 SWNE Within BANNOCK County

PURPOSE AND PERIOD OF USE:	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	1.270 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T11S R37E S06 Lot 3 NENW	4.0	T11S R37E S06 Lot 5 SWNW	22.0
T11S R37E S06 SENW	30.0	T11S R37E S06 NESW	34.0
T11S R37E S06 Lot 6 NWSW	28.0		

118 ACRES TOTAL

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 255 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-04112, 29-07183

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 88 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.